

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:16-00059

DAMIEN ANGEL BAGUT

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On April 14, 2021, the United States of America appeared by Jeremy B. Wolfe, Assistant United States Attorney, and the defendant, Damien Angel Bagut, appeared in person and by his counsel, Glen D. Conway, Esq., for a hearing on a petition seeking revocation of supervised release, submitted by United States Probation Officer Steven M. Phillips. The defendant commenced a twenty-four (24) month term of supervised release in this action on June 26, 2020, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on June 26, 2020.

The court heard the admissions of the defendant and the representations and arguments of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) on June 26, 2020, the defendant commenced an eight-to-fourteen month, long-term residential substance abuse treatment at Lifehouse in Huntington, West Virginia as a condition of his supervised release; on July 19, 2020, the defendant left the program without permission, and without communicating with program staff members, and was deemed a program failure, (2) from July 19, 2020, until his arrest on March 10, 2021, the defendant absconded from supervised release and failed to contact his probation officer and report a change of address; all as admitted on the record of the hearing by the defendant, and all as set forth in the petition, and by the court's findings on the record of the hearing.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

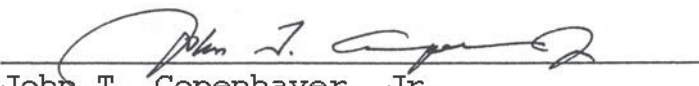
imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32.1(b)(2) and (c)(1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583 (e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TEN (10) MONTHS, with no further term of supervised release imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: April 15, 2021

  
John T. Copenhaver, Jr.  
Senior United States District Judge